



## **ROW Encroachment – Administrative Review Application Guide & Checklist**

Economic & Community Development Department  
101 W. 8<sup>th</sup> Street  
Glenwood Springs, CO 81601  
(970) 384-6411

### **PURPOSE**

The right-of-way encroachment license (license to encroach) procedure is a mechanism by which the City can evaluate proposed encroachments of private property and structures into publicly owned rights-of-way, such as streets, sidewalks, and other types of City property.

### **GENERAL OVERVIEW**

A license to encroach is required for any private use or structure proposed to be located within the City's right-of-way. The review process depends on the type and extent of the encroachment:

#### **Administrative Review**

The following encroachments are reviewed administratively:

- Encroachments that are not permanent in nature
- Encroachments located in the air space above the City's right-of way
- Encroachments that project less than one foot into the right-of-way including awnings, landscaping, balconies, sidewalk signs.

All other encroachments will require the review and approval of City Council. Refer to the ROW Encroachment – City Council Review Application Guide & Checklist.

### **REVIEW PROCESS**

All administrative licenses to encroach are reviewed and decided upon by the Community Development Director following the procedures outlined below:

- 1. Pre-application Conference.** Contact one of the planners in the Community Development Department prior to submitting your ROW Encroachment application. We will discuss the administrative review procedures, application requirements, decision timelines, and the City's goals, policies, and development standards as they relate to your proposed project.

At least 10 days prior to your scheduled conference, please submit one electronic copy of the following items:

- a. A completed Planning Application. The application is available [here](#), or on the City's website at [www.cogs.us](http://www.cogs.us). It is in "Forms, Permits & Applications" on the Community Development Department page.
- b. A written description of the proposed project.

- c. Conceptual drawings showing the location, layout, and primary elements of the proposal.
- d. Proposed uses, location of uses, and densities, if applicable.

- 2. Prepare Your Application.** During the pre-application conference you will receive a checklist of information that we will need to process your request. This information constitutes your application and may include any, or all the information found on page 5 of this guide.

City staff will evaluate your application based on how well it demonstrates compliance with the Municipal Code, and the City's goals, policies, and plans. You may review the Municipal Code on the City's website at [www.cogs.us](http://www.cogs.us). Other approved plans also can be found on the City's website under the individual department pages. Community Development staff will help guide you to plans and policies that may be applicable to your project.

- 3. Submit Your Application.** Submit an electronic copy of your completed application to the Community Development Department on or before the 8-week application deadline. Within 5 business days of your submission, Community Development Department staff will review your application to determine whether it is complete. If it is incomplete, we will contact you with a list of the information needed to complete your application. You are encouraged to submit your application well in advance of the application deadline to allow you time to supply any missing information. Submissions after the deadline will delay your review and decision.

- 4. Provide Additional Copies.** After Community Development Department staff deems it complete, you will be asked to supply a final, complete electronic set of your application materials. Staff may request paper copies of your application for distribution to the City's reviewing departments and outside agencies. The number and format of paper copies can vary depending upon the scope of your application. If your application includes any full-sized plan sheets, we may request submission on 11" x 17" or 24" x 36" size paper.

- 5. Development Review Committee Referral and Review.** Prior to rendering a decision on your project, your application may be referred to the Development Review Committee which consists of various City departments, City boards and commissions, and outside agencies such as the Colorado Department of Transportation, and gas and telephone companies. Community Development Department staff relies on these agencies to review your application and comment on any issues or concerns that they may have relating to your project. In some instances, review committee comments may cause you to redesign your project.

- 6. City Department/Applicant Development Review Committee Meeting.** If your application is referred to the Development Review Committee, you will meet with the committee to review and discuss their comments about your project. In some cases, the committee may request revisions or additional information. You will need to submit your revised materials

or additional materials prior to receiving a decision on your project. Staff will distribute your additional information to the committee and will generally allow 2 weeks for their further review and comment.

- 7. Staff Review & Report.** Community Development Department staff may prepare a summary report for the Community Development Director that analyzes how your project meets the Municipal Code, the City's goals, policies, plans, standards and any other pertinent information. The report will include a staff recommendation of approval or denial. If staff recommends approval, usually there also will be a list of recommended conditions. You will receive a copy of this report, usually via email. Make sure that you read the report and review the listed conditions, if there are any.
- 8. Post-approval.** After you have satisfied all applicable conditions of your project's approval, and after construction of your approved encroachment, Community Development Department staff will ask that you provide an as-built drawing or survey of the encroachment. The as-built drawing must be prepared by a licensed surveyor and include a written description of the encroachment. Following receipt of the drawing, the city's Legal Department will draft a Revocable License to Encroach for your signature. This document and the legal description will be recorded with the Garfield County Clerk & Recorder's office. You will be required to pay the applicable recording fees which are detailed on the Clerk & Recorder's page of the Garfield County website: [www.garfield-county.com](http://www.garfield-county.com).
- 9. Revocable License to Encroach and Indemnification Agreement.** All ROW encroachments require that the owner of the encroachment execute a Revocable License to Encroach which memorializes the city's approval of the encroachment. All encroachments also require that the owner indemnify the City from any and all damages to property or persons resulting from the encroachment. Following construction of your approved encroachment, City staff will provide you with a Revocable License to Encroach and Indemnification Agreement for your signature. This document and the legal description will be recorded with the Garfield County Clerk & Recorder's office. You will be required to pay the applicable recording fees which are detailed on the Clerk & Recorder's page of the Garfield County website: [www.garfield-county.com](http://www.garfield-county.com).

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## ROW Encroachment-Administrative Review APPLICATION CHECKLIST

*For office use:*  
 Pre-application Meeting Date: \_\_\_\_\_ Planning File #: \_\_\_\_\_  
 Applicant: \_\_\_\_\_ Lead Planner: \_\_\_\_\_

During or shortly following your pre-application meeting, you will receive this checklist noting the materials that the City will need to process your ROW Encroachment application. This information constitutes your application. Failure to provide the required materials on or before the application deadline will delay your application.

Materials to be Provided by Applicant								
Submittal Requirements		Paper Copy – number and format			PDF	Notes	Required Submission (√)	Submitted by Applicant (√)
		8 ½ x11	11 x 17	24 x 36				
1	<b>Planning Application</b> – completed in full and signed by applicant and all property owners of record				√			
2	<b>Ownership</b> - provide proof of ownership such as Deed of Trust, Warranty Deed or Quit Claim Deed. Title commitment will not suffice				√			
3	<b>Project Description</b> – narrative describing the project and the need for encroaching into the ROW or onto other types of City property				√			
4	<b>Complete Plan Set including:</b>				√			
	Cover Sheet							
	Site Plan							
5	<b>As-built drawing &amp; Legal Description</b> – following construction, provide an as-built drawing and legal description of the encroachment				√	Depending on the extent of the encroachment, format may include submission of a 24 x 36-inch drawing		

**Materials to be Provided by Applicant**

Submittal Requirements		Paper Copy – number and format			PDF	Notes	Required Submission (√)	Submitted by Applicant (√)
		8 ½ x11	11 x 17	24 x 36				
6	<b>Revocable License to Encroach and Indemnification Agreement.</b>					To be provided by Community Development Department staff		
7	<b>Fee</b>	\$ _____				Cash, check or credit card. Check payable to the City of Glenwood Springs		
8	<b>Other Materials</b>							



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**Complete Plan Set: Cover Sheet**

The cover sheet must include the information listed below to be considered complete. During the Pre-application Meeting, City Staff may request additional items.

<b>General Plan Items (to be included on all sheets)</b>				
Applicant			City Staff	
Yes	N/A		Yes	N/A
		<b><u>Formatting Requirements:</u></b>		
		All drawings shall be submitted in both hard copy and electronic (PDF) formats.		
		Sheet sizes shall be a minimum of 11" x 17" and a maximum of 24" x 36" with a ½" border in landscape orientation.		
		Symbols and line types shall comply with industry drafting standards and shall graphically distinguish between existing and proposed items.		
		Text shall be no less than 0.1 inch in height.		
		Property boundary lines of the subject property shall be depicted with a bold "phantom" linetype.		
		Utilize match lines to connect information from drawings.		
		<b><u>General Information to be included on all civil sheets:</u></b>		
		Name of subdivision or address; section, township, range; city, county and state.		
		Page number (i.e. 1 of x, 2 of x, etc.)		
		Title block.		
		North arrow and indication of standardized scale, both fractional and bar (i.e. 1" = 20' or 1" = 40')		
		Date of preparation.		
		Contact information for professional preparing plans including email address.		
		Name, address, email, and telephone number of owner and applicant.		

<b>Cover Sheet</b>				
Applicant			City Staff	
Yes	N/A		Yes	N/A
		Vicinity map.		
		Basis of bearings & benchmarks.		
		FEMA floodplain statement including community map number and date. Indicate whether the site is located within a designated floodplain.		
		Geologic hazards disclosure. "This property is subject to geologic hazards per the adopted mapping by the City of Glenwood Springs. Hazards to note are _____. A final Geologic Hazard Report will be submitted upon application of a building permit.		
		If property is located within an airport overlay zone, the following note must be included		

	on the cover sheet: “The avigation easement dedicated herein for public avigation purposes, shall be considered a public easement subject to those terms and conditions specified on the instrument recorded at _____ of the records of Garfield County, Colorado. All other easements or interests of record affecting any of the platted property depicted hereon shall not be affected and shall remain in full force and effect.”		
	Index for all sheets included in submittal set.		
	<b>Public Facilities</b> – A note shall be placed on the site plan that makes reference to the public facility requirements for the installation and construction and/or contributions.		
	<b>Project Summary Table</b> – Use the table format below to provide data about the proposed project. Make sure to complete all applicable cells.		

**Project Summary Table**

Project Description					
<b>Lot Size Information</b>	Acres	Square feet	<b>Lot Coverage</b>	Existing (Sq Ft & %)	Proposed (Sq. Ft. & %)
<b>Limits of Disturbance</b>	Existing (Sq & %)	Proposed (Sq. Ft. & %)	<b>Average Slope within Limits of Disturbance</b>	Percentage %	
<b>Off-street Parking Spaces</b>	Existing # Vehicle Spaces	Proposed # Vehicle Spaces	<b>Bicycle Parking</b>	Existing # Spaces	Proposed # Spaces
<b>Residential Units</b>	# Existing Units	# Proposed Units	<b>Non-residential Uses</b>	Type of Use(s)	Gross Floor Area (Sq. Ft.)
<b>Open Space</b>	Existing (Sq ft & %)	Proposed (Sq Ft & %)	<b>Total Landscaped area</b>	Existing (Sq Ft & %)	Proposed (Sq Ft & %)
<b>Building Height</b>	Existing	Proposed	<b>Total Impervious Area</b>	Existing (Sq Ft & %)	Proposed (Sq Ft & %)
<b>Snow Storage</b>	Required (sq ft)	Proposed (sq ft)	<b>Other</b>		





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**Complete Plan Set: Site Plan**

The Site Plan must include the information listed below to be considered complete. During the Pre-application Meeting, City Staff may request additional items.

<b>Site Plan</b>				
Applicant			City Staff	
Yes	N/A		Yes	N/A
		Depict existing and proposed improvements including, without limitation, all of the following: grading; circulation systems (sidewalks, trails, roadways); parking areas & driveway locations; floodways and floodplains; street lights; curbs & gutters; traffic signal poles and controllers; fire hydrant locations; pavement edges; open space; and landscaping.		
		Depict existing and proposed utilities (gas, electric, cable, fiber optics, raw water, water, sewer) and include sizing. Note: Depending on the amount of detail on the site plan, the utilities may be shown on a separate plan sheet.		
		Depict existing and proposed buildings and structures. Label uses and square footages.		
		Depict existing and proposed circulation systems (sidewalks, trails, roadways, driveways, curb cuts, parking areas). Include widths and surface material information. Provide parking count, space dimensions, and identify all ADA parking spaces. Include curb return radii; ADA ramp locations; horizontal curve data; full width of right of way; intersecting roadways; street cross sections; and other relevant features along all roadways abutting the proposed development. Show bicycle parking location and quantity. Indicate all loading and vehicular stacking areas, as applicable.		
		Depict existing and proposed drainage facilities including inlets, manholes, and stormwater outfalls. Include directional drainage flow arrows.		
		Label all existing and proposed easements. Provide width and purpose of easement (utility, access, etc.)		
		Indicate required setbacks.		
		Indicate high water setback for developments bordering the Roaring Fork or Colorado rivers.		
		Depict sight triangles for all access points.		
		Depict type, material, height for all fences and retaining walls. Label top and bottom of all retaining walls.		
		Depict trash enclosure locations. Provide enclosure material and height details.		
		Label accessible route from the public right of way or primary access to the proposed building public entrance. Label distance from closest property line to the building.		
		Label snow storage areas.		